

House File 622 - Introduced

HOUSE FILE _____
BY FORD

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the operation of the Iowa communications
2 network by providing for expansion of the network to
3 facilitate statewide wireless network access, eliminating a
4 provision relating to the lease of specified network
5 components, and making appropriations.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

7 TLSB 2140YH 82

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1 1 Section 1. Section 8D.13, subsection 5, Code 2007, is
1 2 amended by striking the subsection.

1 3 Sec. 2. NEW SECTION. 8D.15 STATEWIDE WIRELESS NETWORK

1 4 ACCESS == APPROPRIATION.

1 5 1. a. For the fiscal period beginning July 1, 2007, and
1 6 ending June 30, 2011, notwithstanding section 8.57, subsection
1 7 6, there is appropriated each fiscal year from the rebuild
1 8 Iowa infrastructure fund created in section 8.57 to the
1 9 commission the sum of twenty=five million dollars.

1 10 b. Notwithstanding section 8.33, moneys appropriated in
1 11 this subsection that remain unencumbered or unobligated at the
1 12 close of the fiscal year for which they were appropriated
1 13 shall not revert but shall remain available for expenditure
1 14 for the purposes designated until the earlier of the fiscal
1 15 year beginning July 1, 2014, or completion of the project.

1 16 2. The moneys appropriated in subsection 1 shall be used
1 17 by the commission to promote the availability of wireless
1 18 broadband access to all areas of the state with a goal of
1 19 achieving ninety=nine and ninety=five=hundredths percent
1 20 accessibility by no later than the end of calendar year 2012.
1 21 The commission shall utilize the moneys appropriated to
1 22 encourage participation and investment by the private sector
1 23 either through the establishment of public=private
1 24 partnerships or the establishment of incentives designed to
1 25 attract private sector investment for the purpose of providing
1 26 wireless broadband access. The commission's efforts may
1 27 include the use of the state's own fiberoptic cable
1 28 facilities.

1 29 3. Of the moneys appropriated in subsection 1 for the
1 30 fiscal year beginning July 1, 2007, and ending June 30, 2008,
1 31 the commission may use no more than three million dollars for
1 32 the purpose of entering into agreements pursuant to section
1 33 8D.13 for the purchase of existing leased Part III connections
1 34 and any other existing dark fiber. For purposes of this
1 35 section, "dark fiber" means strands of glass or plastic
2 1 designed to guide light along their length by total internal
2 2 reflection, but which are not lit with optical equipment or
2 3 are lit solely for use by a specific user as of May 1, 2007.
2 4 Dark fiber may be colocated such that the use of the cable and
2 5 its sheathing is for a specific entity, or such that multiple
2 6 entities may share a common cable sheath but not cause
2 7 interference among those entities.

2 8 EXPLANATION

2 9 This bill appropriates a total of \$100 million from the
2 10 rebuild Iowa infrastructure fund to the Iowa
2 11 telecommunications and technology commission to achieve the
2 12 goal of 99.95 percent accessibility in all areas of the state
2 13 to wireless broadband access. Twenty=five million dollars is
2 14 appropriated for each fiscal year in the fiscal period
2 15 beginning July 1, 2007, and ending June 30, 2011, and the
2 16 moneys shall not revert to the general fund until the earlier
2 17 of July 1, 2014, or completion of the project. The bill

2 18 provides that the commission shall utilize the moneys to
2 19 encourage participation and investment by the private sector
2 20 either through the establishment of public-private
2 21 partnerships or the establishment of incentives designed to
2 22 attract private sector investment for the purpose of providing
2 23 wireless broadband access, and that these efforts may include
2 24 the use of the state's own fiberoptic cable facilities.
2 25 The bill specifies that out of the moneys appropriated for
2 26 the fiscal year, beginning July 1, 2007, and ending June 30,
2 27 2008, the commission may use no more than \$3 million for the
2 28 purpose of entering into agreements pursuant to Code section
2 29 8D.13 for the purchase of existing leased Part III connections
2 30 and any other existing dark fiber, as defined in the bill.
2 31 Additionally, the bill strikes Code section 8D.13,
2 32 subsection 5, which requires the lease by the state of all
2 33 fiberoptic cable facilities or facilities with DS=3 capacity
2 34 for Part III connections for which state funding is provided.
2 35 LSB 2140YH 82
3 1 rn:nh/gg/14